

REMARKS

This application contains claims 1-184, the status of which is as follows:

- (a) Claims 1, 5, 19-20, and 47-48 have been currently amended.
- (b) Claims 2-4, 7-9, 15-18, 21-22, 25-26, 28-29, 32, 35-39, 41-46, 49-50, 56-83, 85-88, and 95-177 were previously canceled.
- (c) Claims 51-55, 84, and 89-94 have been canceled without prejudice and claims 1, 5-6, 10-14, 19-20, 23-24, 27, 30-31, 33-34, and 40 have been withdrawn in response to the restriction requirement as described below. The Applicant reserves the right to prosecute these claims in one or more divisional applications.
- (d) Claims 178-184 are new.

No new matter has been added.

Applicant thanks Examiner Malamud for the courtesy of a telephonic interview with Applicant's representative, Benjamin M. Fishman (Reg. No. 57,030), held on May 28, 2008. During the interview, Mr. Fishman suggested that the Applicant would like to add a new generic claim including within its scope several of the independent claims, and recast these independent claims as depending from this new claim. Mr. Fishman asked whether this approach would be considered responsive to the restriction requirement made in the office action dated April 30, 2008. The Examiner indicated that this approach would be considered responsive to the restriction requirement so long as the Applicant elects one of the groups of the restriction requirement for prosecution, and withdraws the claims that are not included in this elected group.

Election

In response to the requirement for restriction dated April 30, 2008, the Applicant hereby elects without traverse Group III, drawn to a method. This group originally included claims 47-48, and now additionally includes new claims 178-184. Claim 178 is a new independent claim that more broadly recites treating Alzheimer's disease by applying electrical stimulation to SPG-related tissue, and thus reads on the elected invention of Group III, as discussed above. Claims 179-184 depend from claim 178, and also read on the elected invention of Group III. Originally independent claims 1, 19, and 47 have been recast as dependent claims depending from new claim 178, and claims 1 and 19 and their dependent claims have been withdrawn in response to the restriction requirement.


Support for new dependent claims

Claim 179 is supported in the specification *inter alia* as follows: "The SPG is a neuronal center located in the brain behind the nose. It consists of parasympathetic neurons innervating the middle cerebral and anterior cerebral lumens, the facial skin blood vessels, and the lacrimal glands. Activation of this ganglion is believed to cause vasodilation of these vessels" (p. 13, lines 28-31). Claims 180 and 181 recite the two elements of the Markush group of claim 178, respectively. Claim 182 is supported in the specification *inter alia* as follows: "For some applications, this treatment is given on a long-term basis, e.g., in the chronic treatment of Alzheimer's patients" (p. 15, lines 1-2). Claims 183 and 184 are supported in the specification *inter alia* as follows: "SPG stimulation, as provided in accordance with preferred embodiments of the present invention, typically increases blood flow and oxygen supply to the brain, and therefore help these patients. For this use, permanent stimulators may be implanted in the nasal cavity, for long-term intermittent stimulation" (p. 65, line 32 – p. 66, line 3).

Notice of allowance of the present application is respectfully requested.

Respectfully submitted,

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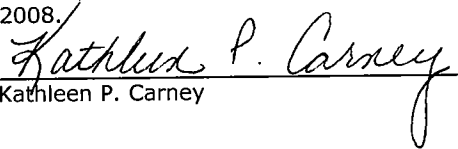
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The Director is hereby authorized to charge or credit Deposit Account No. **18-0350** for any additional fees, or any underpayment or credit for overpayment in connection herewith.

I hereby certify that this correspondence is being electronically transmitted to: Commissioner for Patents, Alexandria, VA on June 4, 2008.



Kathleen P. Carney